

AO 441 (Rev. 5/85) Third Party Summons in a Civil Action

# United States District Court

## Northern District of Oklahoma

## PLAINTIFF

STATE OF OKLAHOMA, ex rel. W.A. DREW EDMONDSON,  
in his capacity as ATTORNEY GENERAL OF THE STATE OF  
OKLAHOMA, et al.

## V. DEFENDANT AND THIRD PARTY PLAINTIFF

CARGILL TURKEY PRODUCTION, LLC.

### THIRD PARTY SUMMONS IN A CIVIL ACTION

## V. THIRD PARTY DEFENDANT

CITY OF WESTVILLE

CASE NUMBER: 05-CV-0329 SAJ

TO (Name and Address of Third Party Defendant)

CITY OF WESTVILLE - Joanne Fleig, City Clerk  
P.O. Box 117  
Westville, Oklahoma 74965

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this court and serve upon

## PLAINTIFF'S ATTORNEY (name and address)

M. David Riggs, OBA #7583  
Richard T. Garren, OBA #3253  
Sharon K. Weaver, OBA #19010  
Douglas A. Wilson, OBA #13128  
Riggs Abney Neal Turpen Orbison & Lewis  
502 West 6th Street  
P.O. Box 1046  
Tulsa, Oklahoma 74101

DEFENDANT AND THIRD-PARTY PLAINTIFF'S ATTORNEY  
(name and address)

John H. Tucker, OBA #9110  
Colin H. Tucker, OBA #16325  
Theresa Noble Hill, OBA #19119  
Rhodes Hieronymus  
100 West Fifth Street, Suite 400 (74103-4287)  
P.O. Box 21100  
Tulsa, Oklahoma 74121-1100

an answer to the third-party complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the third-party complaint. There is also served upon you herewith a copy of the complaint of the plaintiff. You have the option of answering or not answering the plaintiff's complaint, *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the third-party plaintiff is demanding judgment against you in favor of the original plaintiff under the circumstances described in Rule 14(c) Federal Rules of Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of plaintiff as well as to the claim of the third-party plaintiff.

Phil Lombardi  
CLERK

(By) DEPUTY CLERK

JAN 6 2006

DATE

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## V DEFENDANT AND THIRD PARTY PLAINTIFF

CARGILL TURKEY PRODUCTION, LLC

### THIRD PARTY SUMMONS IN A CIVIL ACTION

## V THIRD PARTY DEFENDANT

CITY OF TAHLEQUAH

CASE NUMBER: 05-CV-0329-SAJ

To: (Name and Address of Third Party Defendant)

CITY OF TAHLEQUAH - Deb Corn, City Clerk  
111 South Cherokee Avenue  
Tahlequah, Oklahoma 74464

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this court and serve upon

## PLAINTIFF'S ATTORNEY (name and address)

M. David Riggs, OBA #7583  
Richard T. Garren, OBA #3253  
Sharon K. Weaver, OBA #19010  
Douglas A. Wilson, OBA #13128  
Riggs Abney Neal Turpen Orbison & Lewis  
502 West 6th Street  
P.O. Box 1046  
Tulsa, Oklahoma 74101

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an answer to the third-party complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the third-party complaint. There is also served upon you herewith a copy of the complaint of the plaintiff. You have the option of answering or not answering the plaintiff's complaint, *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the third-party plaintiff is demanding judgment against you in favor of the original plaintiff under the circumstances described in Rule 14(c) Federal Rules of Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of plaintiff as well as to the claim of the third-party plaintiff.

Phil Lombardi  
CLERK

(By) DEPUTY CLERK

DATE

JAN 6 2006